

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

JOSE LUIS VILLANUEVA RODRIGUEZ,

Plaintiff,

Hon. Janet T. Neff

v.

Case No. 1:12-cv-01037

MATTHEW PUTRA , et al.,

Defendants.

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REPORT AND RECOMMENDATION

On December 12, 2012, the Clerk mailed a copy of the December 12, 2012 Order changing the nature of suit (Dkt. 4) to Plaintiff. The mailing was not deliverable because Plaintiff has not provided the Court with an updated address (Dkt. 6).

As such, the undersigned hereby recommends that this matter be dismissed pursuant to Fed. R. Civ. P. 41(b) and W.D.Mich. L.Civ.R. 41.1 for want of prosecution and failure to comply with the rules and orders of this court. Local Rule 41.1 states in pertinent part, "Failure of a plaintiff to keep the Court apprised of a current address shall be grounds for dismissal for want of prosecution." Timely objections to this Report and Recommendation shall be considered Plaintiff's opportunity to show cause why this matter should not be dismissed.

Respectfully submitted,

Date: January 3, 2013

/s/ Ellen S. Carmody
ELLEN S. CARMODY
United States Magistrate Judge

OBJECTIONS to this Report and Recommendation must be filed with the Clerk of Court within fourteen (14) days of the date of service of this notice. 28 U.S.C. § 636(b)(1)(C). Failure to file objections within the specified time waives the right to appeal the District Court's order. *Thomas v. Arn*, 474 U.S. 140, 155 (1985); *United States v. Walters*, 638 F.2d 947, 949-50 (6th Cir. 1981).